

BRIGHTON CITY COUNCIL ORDINANCE

BRIGHTON COMMONS PLANNED UNIT DEVELOPMENT ZONING AMENDMENT

ORDINANCE NO.: 2237

INTRODUCED BY: Edwards

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON APPROVING THE BRIGHTON COMMONS PUD (PLANNED UNIT DEVELOPMENT) ZONING AMENDMENT REQUEST FOR AN APPROXIMATELY 7.4 ACRE PROPERTY, GENERALLY LOCATED IN THE NORTH HALF OF THE NORTHWEST QUARTER, SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BRIGHTON, COLORADO.

WHEREAS, Kreitzer Family LLC (the “Owner”) owns a property approximately 7.4 acres in size, located southeast of and adjacent to Bridge Street and 50th Avenue, and more specifically described in **EXHIBIT A**, attached hereto (the “Property”); and

WHEREAS, on February 2, 2016, the City Council approved by ordinance the Brighton Commons PUD (the “PUD”) by Ordinance Number 2226; and

WHEREAS, the Applicant, Josh Rowland, LAI Design Group (the “Applicant”), on behalf of the Owner, has requested approval of the Brighton Commons PUD Amendment (the “PUD Amendment”), attached hereto as **EXHIBIT B**; and

WHEREAS, in accordance to the public notice requirements of the *Land Use and Development Code*, the City Council of the City of Brighton finds and declares that a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, the City Council conducted a public hearing on October 4, 2016, to review and consider the PUD Amendment pursuant to the applicable provisions and criteria set forth in the *Land Use and Development Code*; and

WHEREAS, at the public hearing, the City Council received and considered all relevant evidence and testimony from City Staff, the Applicant, and other Interested Parties, including the public at large; and

WHEREAS, the City Council hereby finds and determines that the PUD Amendment does follow the intent of the *Comprehensive Plan* in providing for the future of the City; complies with the requirements of the City of Brighton *Land Use and Development Code*; addresses a unique situation; complies with applicable standards; is integrated with adjacent development; sufficiently mitigates adverse impacts; provides for sufficient facilities and services to serve the Property; will

be phased appropriately; and could not be accomplished in another manner.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON:

Section 1. That the approximately 7.4 acre property, as more particularly described in **EXHIBIT A**, attached hereto and incorporated herein by this reference, is hereby zoned as the Brighton Commons PUD Amendment, as shown in **EXHIBIT B**, attached hereto and incorporated herein by this reference with the following condition:

- 1) The use of "Gun and Archery Range (Indoor)" in Planning Area 1 is required to be approved by conditional use.

Section 2. That the Zoning Map of the City of Brighton shall be amended to reflect said zoning (PUD).

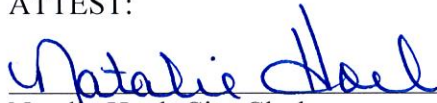
**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 4TH DAY OF OCTOBER, 2016.**

CITY OF BRIGHTON, COLORADO



Richard N. McLean, Mayor

ATTEST:



Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

First Publication: October 12, 2016


APPROVED AS TO FORM:



Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,
BY TITLE ONLY, THIS 18TH DAY OF OCTOBER, 2016.**

CITY OF BRIGHTON, COLORADO


Richard N. McLean, Mayor

ATTEST:


Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
Last Publication: October 26, 2016

EXHIBIT A
LEGAL DESCRIPTION

THAT PART OF THE N½NW¼, SECTION 11, T.1S., R.66W., 6TH P.M., ADAMS COUNTY RECORDS DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER NORTH ONE-HALF SAID NORTHWEST ONE-QUARTER; THENCE S00°00'00"W ON AN ASSUMED BEARING ALONG THE WEST LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 50.00 FEET; THENCE S89°53'14"E PARALLEL WITH THE NORTH LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S89°53'14"E PARALLEL WITH SAID NORTH LINE A DISTANCE OF 521.78 FEET TO A POINT; THENCE S00°00'00"W PARALLEL WITH THE WEST LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 834.84 FEET; THENCE N89°53'14"W PARALLEL WITH THE NORTH LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 521.78 FEET TO A POINT 30.00 FEET EAST OF THE WEST LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER; THENCE N00°00'00"E PARALLEL WITH SAID WEST LINE A DISTANCE OF 834.84 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED IN DEED RECORDED JUNE 14, 2002, AT RECEPTION NO. C0984087,

COUNTY OF ADAMS,
STATE OF COLORADO.

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BEING SITUATED IN THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 1° SOUTH, RANGE 66° WEST
OF THE SIXTH PRINCIPAL MERIDIAN CITY OF BRIGGS, ADAMS COUNTY, COLORADO

Sheet 4 of 4 - Design Guidelines

10.0 TYPICAL STREET SECTION (PRIVATE)

PL = Property Limitation * Right of Way/BOC = Back of Curve

1. Entry feature materials and character to complement proposed commercial architecture.
2. Primarily composed of stucco and stone in earth tone colors with metal accents.
3. Entry features will be constructed by the Developer and maintained by the property owners.
4. Design shown herein is conceptual in nature and will require the City of Brighton sign permit approval prior to construction.

Adopted under the City of Brighton Design Standards as a minimums per underlying Zone District unless stated otherwise as different to prohibited.

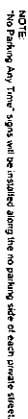
General: All lighting shall conform to the international Dark Sky protocol and create a pleasant, ambient lighting situation for the environment.

A. All outdoor lighting shall be designed as a "warm" or dimmable similar in color/temperature to residential thermostats and consistent throughout Brighton's commercial development.

B. All off-street parking areas shall be illuminated with overhead lighting with a max height of 25' or 30'.

C. All outdoor public plazas and pedestrian plaza areas shall utilize a complementary open frame with a maximum height of 18'0".

Must meet the City of Brighton Design Standards at a minimum.



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DESIGN GUIDELINES

PUD AMENDMENT: 08/12/2016
PUD AMENDMENT: 07/18/2016
REVISED: 11/23/2015
REVISED: 10/16/2015
DATE: 08/21/2015

SHEET 4 OF 4